

**YIN THE UNITED STATES DISTRICT COURT
EASTERN DIVISION OF ARKANSAS
EASTERN DIVISION**

DAVID LIBRACE and DAVID FRIEDEBERG

PLAINTIFFS

VS.

2:19-CV-00041-BRW

KEVIN SMITH, *ET AL.*

DEFENDANTS

ORDER

Plaintiffs' Motions for Leave to Proceed *In Forma Pauperis* (Doc. Nos. 1, 2) are DENIED and this case is DISMISSED.

A district court has the authority to dismiss a case *sua sponte* for failure to state a claim.¹ The allegations in the complaint are nonsensical and fail to state a claim. Additionally, the causes of action either fail to mention a named defendant, involve claims that Mr. Librace is already pursuing in federal court, involve claims that Mr. Librace previously pursued in federal court, name defendants who do not appear to have any involvement with the claims, or involve separate incidences that should not be in the same complaint. Accordingly, this case is DISMISSED for failure to state a claim.

IT IS SO ORDERED this 10th day of April, 2019.

Billy Roy Wilson
UNITED STATES DISTRICT JUDGE

¹See *Smith v. Boyd*, 945 F.2d 1041 (8th Cir. 1991).